

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL W. BRISENO,

Petitioner,

No. C 04-1458 PJH

v.

**ORDER REQUIRING RESPONDENT  
TO SUPPLEMENT RECORD**

JEANNE S. WOODFORD, Director,  
California Dept. of Corrections,

Respondent.

Upon review of the habeas petition and related filings in this case, the court has determined that two orders and a motion that are relevant to resolution of one of petitioner's claims for ineffective assistance of counsel are missing from the record. Those documents include:

- (1) The California Court of Appeal's **June 6, 2001** order denying petitioner's motion for relief from default judgment and request for certificate of probable cause;
- (2) Petitioner's **June 20, 2001** supplemental motion for relief from default judgment and request for certificate of probable cause; and
- (3) The California Court of Appeal's **July 11, 2001** order denying petitioner's supplemental motion for relief from default judgment and request for certificate of probable cause.

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Given the age of this case and the fact that the court would like to issue its order in the near future, respondent is ORDERED to supplement the record with the above documents **no later than Friday, September 14, 2007.**

**IT IS SO ORDERED.**

Dated: September 7, 2007



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PHYLLIS J. HAMILTON  
United States District Judge